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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,863	01/05/2001	Marise Chan	60001.0005US01	3683

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EXAMINER

VAUGHN, GREGORY J

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,863

Applicant(s)

CHAN ET AL.

Examiner

Gregory J. Vaughn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,5-7 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 2,5-7 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Action Background

1. This action is responsive to the Request for Continued Examination, filed on 6/15/2005.
2. Applicant has cancelled claims 3, 4 and 8-20 (claim 1 was previously canceled), and added new claim 21.
3. Claims 2, 5-7 and 21 are pending in the case, claims 1 and 7 are independent claims.
4. A request for continued examination filed under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after a final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action (dated 1/12/2005) has been withdrawn pursuant to 37 CFR 1.114.
5. The examiner's rejection of claims 3, 4 and 8-20, made in the *Claim Rejections – 35 USC 103* section of the previous office action (dated 1/12/2005), is withdrawn in view of the canceled claims.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

"The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention."

7. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
8. Claim 21 recites the limitation "*the method of claim 1*" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim. Claim 1 is a canceled claim and therefore cannot have active claims depending from it. The examiner has reasoned that claim 21 is depending from claim 2.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

“(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.”

10. Claim 2 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Brian Underdahl *“Using Quattro Pro 6 for Windows”* published by Que Corporation, Indianapolis, Indiana, 1994 (hereinafter Underdahl) in view of *“WordPerfect V6.1 User’s Guide”* published by Novell Inc., Orem Utah, 1994 (hereinafter WordPerfect V6.1).

11. **Regarding independent claim 2**, Underdahl discloses a *“Find/Replace”* dialog for a spreadsheet program on page 174, Figure 5.32. Underdahl discloses determining and editing a plurality of cell characteristics in the spreadsheet, see the *“Block(s)”* data field and the *“Formula”*, *“Value”* and *“Condition”* radio buttons in Figure 5.32. Underdahl discloses selecting a cell. Underdahl recites: *“Highlight the area you want to search”* (page 174, last paragraph). Underdahl discloses the use of a mouse. Underdahl recites: *“You can use the direction keys or the mouse to move the cell selector”* (page 15, third paragraph). Highlighting is a method for selecting, said method inherently includes the moving of the cursor over the area to be selected and

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clicking a mouse button. Underdahl fails to disclose determining and editing “*formatting characteristics*”. WordPerfect V6.1 teaches the use of a “Find/Replace” dialog, which allows the determination and editing of formatting characteristics. WordPerfect V6.1 recites: “*The Codes option lets you find and replace any codes regardless of values the codes may contain. For example, if you search for a font size code, any font size code will be found. You can search for more than one code at a time or for a combination of words and codes*” (page 160, third paragraph).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made to enhance the “Find/Replace” dialog of Underdahl with the format capabilities as taught by WordPerfect V6.1 in order to allow a search of spreadsheet cells based upon text and formatting characteristics.

12. Claim 21 is and claim 5 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Underdahl in view of WordPerfect V6.1, and in further view of “*Corel Draw*” published by Corel Corporation, Ontario, Canada, 1992 (hereinafter Corel).

13. **Regarding dependent claim 21**, Underdahl discloses selecting an option, where the option is for choosing formatting characteristics from a formatted cell in a spreadsheet. Underdahl recites: “*When you choose **Edit Find and Replace**, the Find/Replace dialog box shown in Figure 5.32 appears*” (page 174, third paragraph) (Note: Underdahl’s use of “**Edit Find**” is related to

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selecting from the menu structure of the GUI). Underdahl and WordPerfect V6.1 fail to disclose the cursor changing to a second shape, where the second shape indicates to the user that selecting a cell (i.e. clicking the cell) will apply the attributes to the find dialog box. Corel teaches the use of a plurality of special shape cursors that indicate to the user the special functionality that is currently associated with the special cursor shape on page 23, at the bottom of the page (for instance the eraser shape cursor is used for erasing).

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to use special shaped cursor, as taught by Corel, with the find/replace dialog with selection of a cell by a user with a mouse of Underdahl and WordPerfect V6.1 in order to provide a visual indicator to the user as to the function the cursor is currently enabled as.

14. **Regarding dependent claim 5**, Underdahl and WordPerfect V6.1 disclose a spreadsheet find/replace dialog with selection of a cell by a user with a mouse is disclosed. Underdahl and WordPerfect V6.1 fail to disclose the second shape of the cursor of the mouse shaped like an eyedropper. Corel teaches the shape of the cursor as an eyedropper. Corel discloses an eyedropper cursor on page 25, at the top of the page.

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to use an eyedropper shaped cursor, as taught by Corel, with the find/replace dialog with selection of a cell by a user with a

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mouse of Underdahl and WordPerfect V6.1 in order to provide a visual indicator to the user as to the function the cursor is currently enabled as.

15. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Underdahl in view of WordPerfect V6.1, in view of Corel and in further view of Microsoft Excel 2000 (the spreadsheet application) as depicted in the screen captures created by the examiner, the copyright of the application being 1985-1999 (hereinafter Excel).

16. **Regarding dependent claim 6**, Underdahl and WordPerfect V6.1 disclose determining formatting characteristics for a plurality of fields of a cell in a spreadsheet. However Underdahl and WordPerfect V6.1 fail to disclose the characteristics comprising a plurality of number fields, a plurality of alignment fields, a plurality of font fields, a plurality of border fields, a plurality of pattern fields, or a plurality of protection fields. Excel discloses characteristics comprising a plurality of number fields, a plurality of alignment fields, a plurality of font fields, a plurality of border fields, a plurality of pattern fields, and a plurality of protection fields as shown on pages 1-4.

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made, to determine the formatting characteristics of Underdahl, WordPerfect V6.1 and Corel with the cell format controls as taught by Excel, in order to use all possible formatting characteristics of a cell for a searching function.

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17. **Regarding dependent claim 7**, the claim is directed toward a computer readable medium for the method of claim 6, and is rejected with the same rationale.

Response to Arguments

18. Applicant's arguments filed 6/15/2005 have been fully considered but they are not persuasive.
19. **Regarding independent claim 2**, the applicant states: "*Underdahl and WordPerfect do not teach a computer-implemented method including determining a plurality of formatting characteristics of a spreadsheet cell by moving a cursor over the cell containing those plural formatting characteristics and clicking a mouse button to select the cell*" (page 6, second paragraph, of the response filed 6/15/2005). Applicant is directed to the rejection of claim 2, as stated above. Underdahl and WordPerfect discloses the selection of a cell, which inherently includes moving a cursor over the cell and clicking a mouse button to select the cell.
20. **Regarding independent claim 21**, the applicant states: "*Those references (the teachings of Underdahl and WordPerfect) fail to teach the option of determining formatting characteristics of a spreadsheet cell by moving a cursor over the cell and selecting the cell, and from those teachings one of ordinary skill in the art would find no reason to change the shape of a*

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cursor" (page 7, first paragraph, of the response filed 6/15/2005). Applicant is directed to the grounds of rejection for claim 21, as presented above.

Conclusion

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
August 24, 2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
8/24/2005